



STATE OF WASHINGTON
PUBLIC EMPLOYMENT RELATIONS COMMISSION

CATHLEEN CALLAHAN, Executive Director

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MINUTES

August 14, 2007

The regular meeting of the Public Employment Relations Commission was held at 10:00 a.m. in the Large Conference Room of the Commission's Olympia office, 112 Henry Street NE, Suite 300, Olympia, Washington. Those present and participating were:

Marilyn Glenn Sayan, Chairperson
Pamela G. Bradburn, Commissioner
Douglas G. Mooney, Commissioner
Cathleen Callahan, Executive Director
Majel C. Boudia, Confidential Secretary
Dario de la Rosa, General Counsel
Kenneth J. Latsch, Operations Manager
David I. Gedrose, Compliance Officer

Also present and participating:

Gladys V. Burbank, Washington Federation of State Employees
Herb Harris, Washington Public Employees Association
Glenn Frye, OFM Labor Relations office

MINUTES OF PREVIOUS MEETING

The minutes of the meeting held on July 10, 2007, were approved as submitted.

REPORT OF THE EXECUTIVE DIRECTOR

1. There was no statistical report this month. The traditional report is being revised by Business Manager Jim Lohr and General Counsel Dario de la Rosa. The new format will better explain intake, pending, and closed cases. It will also include cases by clientele group and case type, and the number of cases assigned to Examiners, filtering out compliance, XDA (special open) cases, but tracking case type trends.



There were 39 cases filed during the month of July, and 88 cases closed. There were 357 cases pending at the end of July. Case aging statistics were presented, and have improved considerably. Staff members are making good progress in processing cases.

2. The Red List (cases ready for decision more than 90 days) and Yellow List (cases ready for decision 45 to 89 days) were reviewed. It was noted that the Red List includes a few huge cases with long decisions, some of which are in the final draft stage. Some long-standing cases have recently had decisions issued.
3. Executive Director Callahan was pleased to report that three new LRAMs have accepted employment with the agency. There was stiff competition for the positions and she was delighted that the hiring committee (Field Services Manager Mark Downing, Operations Manager Ken Latsch, LRAM Christy Yoshitomi, and Ms. Callahan) believes they found three excellent individuals for the Adjudicator/Mediator positions:
 - Jamie Siegel, an attorney who is currently the Executive Director of Human Resources for Franklin Pierce School District, will join us on September 17th. Jamie attended this meeting and was introduced to the audience.
 - Jessica Bradley, a Field Examiner in the National Labor Relations Board's Portland office, will join us on September 6th. Jessica attended this meeting and was introduced to the audience.
 - Charity Atchison, a recent graduate of Seattle University School of Law, was not able to attend this meeting, but will join us on September 6th.
4. Ms. Callahan and LRAMs Carlos Carrion, Robin Romeo, and Sally Carpenter attended the Association of Labor Relations Agencies (ALRA) in Toronto. The staff members thought the conference was excellent and passed along their thanks to the Commission for approving their attendance.
5. An outreach conference for Personnel Systems Reform Act (PSRA) clientele has been scheduled for October 30 at the Red Lion Hotel in Olympia. The Commission was invited, and Chairperson Sayan and Commissioner Bradburn will participate. The program is being developed, and notices and registration information will be distributed shortly. Ms. Callahan noted that clientele is welcome to participate.
6. On September 12th, staff will have all-day training on E and C cases. Field Services Managers Walter Stuteville, Martha Nicoloff, Mark Downing, Unfair Labor Practice Manager David Gedrose, and LRAM Guy Coss have prepared the training program.

7. Legal writing training will be held on November 5th. Susan McClosky has been retained to develop a curriculum and train staff and the editors.
8. We are receiving more outreach requests now that clientele can request speakers online. Ken Latsch spoke to Department of Transportation Human Resources representatives recently, and the Executive Director continues to receive requests from various clientele groups around the state.
9. Ms. Callahan announced that the new website is up and it has a new look. The website team included: Ed Heiser, Mitch Nelson, Ken Latsch, Joye Rolfer, Guy Coss, and Karyl Elinski. Changes will continue to be made. Herb Harris commended that it is very nice, and the recent decisions that have been added is a great feature.

The Commission was asked if there had been a consensus about having their biographical information on the website. They will get back to us with an answer.

10. Construction should commence within the next month in the Olympia office to create three new offices. There is a possibility that space may be available on the second floor. Jim Lohr is looking into it.
11. The Performance Development Plan (PDP) is in the process of being implemented. A consultant, Steve Sussman, has been retained to assist in developing a plan for the agency. A two-day retreat is scheduled for next week. One of the goals will be to define excellence. Three LRAMs will be joining the management team: Terry Wilson, Claire Nickleberry, and Sally Carpenter.
12. A letter from Anthony F. Menke was recently received withdrawing an unfair labor practice involving the City of Sunnyside, and thanking Robin Romeo for her "very capable assistance" in settling a successor agreement.
13. Executive Director Callahan announced that she had received a telephone call from Martin Muench. Mr. Muench complimented us on the new website, the new logo, and the new feel of PERC. He also complimented Emily Martin on her abilities in a recent case involving Kitsap County.
14. The Commission reviewed an application from Jerome L. Arbiter for the Dispute Resolution Panel. Panel Coordinator Majel Boudia indicated that all of the required information was submitted with the application. Following review of the documents, the Commission unanimously approved the application.

RULES REVIEW

Rule Coordinator Ken Latsch informed the Commission that the appropriate form has been filed with the Code Reviser to begin the rules review process. Two public hearings will be held prior to adoption of new rules. One hearing will be held in Kirkland on September 26th and the other will be held in Spokane in late October. Comments are welcomed and will be received at these meetings. Notices will be sent to clientele. The final adoption process will follow, on December 11, at the regular Commission meeting in Olympia. Ms. Callahan noted that she and Mr. Latsch may include outreach in their visit to the Spokane area.

COMPLIANCE DOCKET

David Gedrose reviewed the Compliance Docket and reported the following:

King County, Case 18636-U-04-4741. Mr. Gedrose reported that the employer has complied with the order, and that he recommended acceptance of compliance in the matter. The Commission unanimously agreed, and the case will now be closed.

Snohomish County, Case 19748-U-05-5003. Compliance was tendered by the employer and counsel for the union responded on July 10th that the county is in compliance. Mr. Gedrose recommended acceptance of the tender of compliance in the matter. The Commission unanimously agreed, and the case will now be closed.

Community College District 10 - Green River, Cases 19806-U-05-5019 and 19807-U-05-5020. The Commission reviewed the documentation filed by the employer. Gladys Burbank confirmed that compliance is complete. Mr. Gedrose recommended acceptance of the tender of compliance, and the Commission unanimously agreed. The cases will now be closed.

King County Fire District 43, Case 17414-U-03-4514 will be held over until the September meeting.

City of Anacortes, Cases 17453-U-03-4524 and 17454-U-03-4525 will be held over until the October meeting.

Executive Director Callahan reported that she and Mr. Gedrose are reviewing the compliance process to make it easier. This may include a pre-closing letter to the parties and a more user friendly compliance notice that would be returned to the agency.

COURT DOCKET

There was nothing to report on the court docket.

Mr. de la Rosa will request a status report from Assistant Attorney General Spencer Daniels in *Whatcom County*, Case 14690-U-99-3685. The case has been pending in Thurston County Superior Court since 2003.

COMMISSION DOCKET

The Commission docket was reviewed in detail, and the status of each case was discussed.

OTHER BUSINESS


There was no other business to report to the Commission.

ADJOURNMENT

There being nothing further to come before the Commission, the meeting was then adjourned.

PUBLIC EMPLOYMENT RELATIONS COMMISSION


MARILYN GLENN SAYAN, Chairperson


PAMELA G. BRADBURN, Commissioner


DOUGLAS G. MOONEY, Commissioner

ATTEST:


CATHLEEN CALLAHAN
Executive Director